

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

NELSON WHITE, JR., *et al.*,

Plaintiffs,

v.

**THE PNC FINANCIAL SERVICES
GROUP, INC., *et al.*,**

Defendants.

Civil Action No. 2:11-cv-07928-LS

**PLAINTIFFS' MOTION TO LIFT STAY AND
FOR LEAVE TO AMEND THE COMPLAINT**

Plaintiffs Nelson White, Jr., Lisa White, Charles Hightower, Colleen Hightower, Dan B. Johnston, Michelle B. Johnston, George G. Donald, Jr., Luz Garcia, Jill Crumpler and Kevin Zielinski ("Plaintiffs") hereby seek an Order lifting the stay, which was imposed on March 11, 2015, and granting them leave to file the Third Amended Class Action Complaint, attached hereto as Exhibit A. Counsel for Plaintiffs have conferred with counsel for Defendants regarding the relief requested herein. Counsel for Defendant The PNC Financial Services Group, Inc. opposes granting Plaintiffs leave to amend the complaint.¹ This Motion is based upon the accompanying memorandum of law.

Dated: September 7, 2016

**KESSLER TOPAZ
MELTZER & CHECK, LLP**

By: /s/ Edward W. Ciolko
Joseph H. Meltzer
Edward W. Ciolko
Terence S. Ziegler
Amanda R. Trask

¹ Republic Mortgage Insurance Company ("Republic") has not been named as a defendant in Plaintiffs' proposed amended complaint. Plaintiffs and Republic have reached an agreement in principle and intend to file for the dismissal of Republic within forty-five (45) days.

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Attorneys for Plaintiffs and the Proposed Classes

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2016, a true and correct copy of the foregoing document was electronically filed with the Clerk of the Court, is available for viewing and downloading from the ECF system, and will be served by operation of the Court's electronic filing system (CM/ECF) upon all counsel of record.

/s/ Edward W. Ciolko
Edward W. Ciolko